

Message Text

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65

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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R 251400Z FEB 76

FM AMCONSUL MUNICH

TO SECSTATE WASHDC 6738

INFO AMEMBASSY BONN

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL FRANKFURT

AMCONSUL HAMBURG

AMCONSUL STUTTGART

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E.O. 11652: N/A

TAGS: PFOR, PINT, GW

SUBJECT: STRAUSS COUNTERATTACKS IN DISPUTE WITH PRESS OVER
LOCKHEED ALLEGATIONS

1. FEB 16 ISSUE OF SUEDEDEUTSCHE ZEITUNG (SZ) CARRIED ARTICLE UNDER SIGNATURE OF HARTMUT PALMER RECITING ALLEGATIONS BY FORMER LOCKHEED EMPLOYEE HAUSER, WASHINGTON POST, DER SPIEGEL AND OTHER PUBLICATIONS THAT STRAUSS AND CSU ACCEPTED PAYMENTS FROM LOCKHEED IN CONNECTION WITH FRG PURCHASE OF STARFIGHTER, AND CONTRASTING THESE ALLEGATIONS WITH STRAUSS' PUBLIC STATEMENTS AND DENIALS. ON FOLLOWING DAY SZ WAS REQUIRED UNDER APPLICABLE LAW TO PUBLISH STRAUSS' DETAILED REBUTTAL OF SZ ARTICLE.

2. IN INTERVIEW WITH DIE WELT SEVERAL DAYS LATER, STRAUSS CHARACTERIZED THE FEBRUARY SZ ARTICLE AS A "GANGSTER ARTICLE." ON FEB 23 THE RESPONSIBLE SZ EDITORIAL OFFICIALS SUED STRAUSS FOR LIBEL.

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3. A CSU PRESS RELEASE DATED FEB 24 INDICATES THAT STRAUSS' LAWYERS HAVE WRITTEN A LETTER TO THE LAWYER OF THE SZ STATING THAT STRAUSS INSISTS THAT THE QUESTION OF WHETHER HE HAD A RIGHT TO TERM THE SZ ARTICLE A "GANGSTER ARTICLE" BE CLARIFIED BY THE COURT'S DECISION IN THE SZ SUIT AGAINST HIM. THE LETTER INDICATES THAT STRAUSS FEELS THAT IF THE SZ HAS THE RIGHT TO ALLEGE THAT HE MAY HAVE COMMITTED CRIMINAL ACTS, HE, IN TURN, HAS THE RIGHT TO REPLY IN THE SAME "SHARP LANGUAGE". LETTER STATED FURTHER THAT STRAUSS WILL REFRAIN FROM USING THE PHRASE "GANGSTER ARTICLE" UNTIL THE COURT REACHES A DECISION OR UNTIL MAY 31 RPT 31, WHICHEVER IS EARLIER.

4. COMMENT: THE LETTER FROM STRAUSS' LAWYERS SEEMS TO BE A TACTICALLY CLEVER MOVE. ALTHOUGH IT MAINTAINS, ON ONE HAND, THAT STRAUSS HAD A RIGHT TO CALL THE SZ ARTICLE A "GANGSTER ARTICLE," IT COMMITS HIM, ON THE OTHER HAND, TO REFRAIN FROM FURTHER USE OF THIS PHRASE. IN MAKING THIS COMMITMENT, STRAUSS AND HIS LAWYERS APPARENTLY HOPE TO AVOID GIVING THE SZ A LEGAL BASIS FOR REQUESTING A TEMPORARY INJUNCTION.PETERSON

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